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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,358	01/02/2004	Kermit D. Lopez	1000-1307	2067

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EXAMINER

JANVIER, JEAN D

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,358

Applicant(s)

LOPEZ ET AL.

Examiner

Jean D Janvier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-15, 18-20 and 29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-15, 18-20 and 29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Response To Applicant's Arguments

Applicant's arguments, with respect to the claims, are based on the newly amended claims and are addressed in the Office Action below. Further, the Applicant's newly amended claims are based in general on intended use. Intended use-type claim limitations are not positive limitations, but only require the ability to perform a particular function. The test here is whether the prior art is capable of performing the disclosed tasks or functions. In the affirmative, the prior art is said to "read on" the claim limitations. For example, the device disclosed by Freeman is capable to store information and communicate with a variety of wireless equipments such as cellular phones, pagers and so on. Hence, it can be concluded that the Freeman's device is configured to record therein personal data such as phone numbers and calendars in addition to rebate data. In this case, the Freeman's system reads on the associated claims (MPEP 2114).

Therefore, the Applicant's request for allowance or withdrawal of the last Office Action has been fully considered and respectfully denied in view of the foregoing response since the Applicant's arguments as herein presented are not plausible and thus, the current **Office Action** has been made **Final**.

DETAILED ACTION**Specification****Priority Data**

This is a divisional application of co-pending prior patent Application Serial No. 09/684,737, filed on October 6, 2000.

Status of the claims

Claims 1-29 were originally submitted. After the First Office Action, claims 8, 16, 17 and 21-28 were canceled. Hence, claims 1-7, 9-15, 18-20 and 29 are currently pending in the Instant Application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Regarding claims 1, 11, 20 (including their dependent claims) and 7, 29, the term “**and/or**” renders the claim indefinite since it is unclear whether the Applicant meant to refer to “and” or “or”. For examination purpose, the claim will be broadly interpreted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to

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which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-7, 9-15, 18-20 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guthrie, US Patent 6,467,686B1 in view of Freeman, US Patent 6,450,407B1.

As per claims 1, 11, 20, 4-7, 14 and 15, Guthrie discloses a system for providing electronic coupons or negotiable economic credits to a user over the Internet or any other computer network having a server containing a central repository or database storing the electronic coupon data, wherein the electronic coupon data are downloaded to the user's portable device or handheld device or coupon scanner connected to a cradle. **The stored coupon data are marked with a unique personal identifier that will electronically stamp the coupon data with the user's personal information.** Once the user has uploaded the coupon scanner or handheld device with the desired coupon data, the user can take the coupon scanner to a participating retail store where he can redeem the electronic coupons at the retail store checkout

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through a POS cradle (docking station 22 of figs. 1, 6 and 7, infrared device interface or wireless device interface) located at the checkout used to upload or transfer the coupon data from the coupon scanner or handheld device to the retail store system (synchronization of POS and the handheld device) and wherein the cradle is an infrared transceiver device interface or wireless device interface. In other words, a wireless connection (wireless communication network) is used during the synchronization process between the coupon scanner or the handheld device and the retail store POS system to transfer coupon data related to at least one electronic coupon or negotiable economic credit from the coupon scanner or handheld device database to the retail store POS system to effect a redemption when the required product is bought during a transaction. It is further to be understood that the user or the bearer of the handheld device initiates the redemption of the at least one electronic coupon and hence, the user authorizes the transfer of the coupon data related to the at least one electronic coupon from the handheld device database or memory to the POS system.

(Col. 4: 64 to col. 5: 24; col. 7: 48 to col. 8: 24; col. 8: 66 to col. 9: 34; See claims 1, 8 and 22 of the current reference).

As per claims 1, 11, 20, 4-7, 14 and 15, Guthrie does not explicitly disclose the steps of compiling the user's profile information over a wireless or paging network (wireless telecommunication network), through the user's input, for storage within the memory or database of the user's handheld device (coupon scanner), such as a mobile phone or paging device or PDA, wherein at least one credit or one negotiable economic credit is transferred over said public wireless or paging network to the user's handheld device or over an RF (radio frequency) or IR

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(infrared) link while the user is at a POS or during a transaction, in accordance with the user's stored profile information.

However, Freeman discloses a method and system for providing advertisement information and electronic rebate or credit to a consumer for reading the an advertisement and for buying a product featured in the advertisement, wherein the advertisement information and the electronic rebate information (cash or financial reward) are transferred to the consumer's handheld device or chip card memory over a plurality of communication channels or communication means (or networks) including the Internet and wireless means (wireless networks) (col. 6: 2 to col. 7: 59; fig. 3; col. 9: 11-18). In general, once a rebate is stored in the memory of the chip card, the consumer can then take the chip card to a participating POS, where it can be used (redeemed) during a synchronization process with the POS terminal. Indeed, rebates are conveyed or provided to the consumer by communication from the advertisement information provider to the customer's chip card memory via a multiplicity of possible channels or communication means including a personal computer, a portable chip card reader, **a point-of-sale (POS) terminal, a handheld device, a home or business telephone, a vending machine, a cellular phone, a pager, a mass transportation payment station, a television and/or television set-top box or an automated teller machine (ATM).**

In one instance, rather than giving a discount at the point of sale, instead a rebate in the form of electronic money is transferred therefrom and stored in the chip card memory for later retrieval and consumption. In fact, during a purchase transaction at a POS when the chip card is used to purchase a product, the system determines whether a rebate is associated with the product

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being purchased, and if a rebate is associated with the product, then the rebate in the form of electronic money is entered into the memory of the card during the purchase transaction (col. 6: 1 to col. 7: 21; col. 9: 11-18).

The system further includes the steps of tracking and storing integrated relational information regarding advertisement information, products and customer's buying habits with respect to those products for which rebates have been given and related advertisements have been viewed, the number of times an advertisement stored on the chip card has been retrieved and display on a screen coupled to the chip card (conducted in a wireless mode), wherein this tracking information (profile information) can be stored in the memory of the chip card or on a network database and used to provide targeted advertisement and hence, targeted rebate to the consumer. In other words, determination of which particular advertisement information and associated rebates to transfer and store onto the chip card may be based on customer information available to the providers of the advertisement information and collected directly or indirectly from the consumer (in a wireless or non-wireless environment). Additionally, electronic money may be put into electronic purse (chip card) without any purchase of the product associated with the advertisement and the system could be so configured such that the amount of electronic money loaded therein would be a function of how much information (profile data) the consumer was willing to share to provide better targeting of the advertisement and hence, the rebate distribution. The more user-characterizing information or profile allowed by the consumer for targeting, the more there would be rebated per advertisement downloaded (col. 9: 20-28; col. col. 11: 6-8; col. 13: 60-64). The system is further operable to vary the value of the rebate that may be associated with a product based on purchases made by the user or based on the number of

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purchases made by the user, increase the value of the rebate with increasing number of purchases of the product associated with the rebate and so on (varying the value of a rebate based on the user's transaction history or profile stored on the chip card), wherein the value of the rebate may be downloaded, from a web site over a network or the Internet, onto the chip card memory with the download of the advertisement information and the step of entering the rebate into the memory of the card as electronic money may comprise loading the amount of the rebate into the electronic purse of the chip card. Alternatively, the value of the rebate may be stored on a computer network or a point of sale terminal until the time of a purchase at which a rebate is made to the user.

In short, the rebate may be transferred or entered into the memory of the chip card by the user via a network or the Internet or a cash register or other point-of-sale device, a personal computer, a portable chip card reader, a handheld device (wireless means or wireless network), a home or business telephone, a pay telephone, a vending machine, a cellular phone, a pager, a mass transportation or toll payment station or toll booth (transferring the rebate or credit to the handheld device via a wireless network), a television, television set top box and an automatic teller machine (ATM). The advertisement related to the rebate is conveyed to the user and transferred to the user's chip card in a similar manner using similar communication means.

(Col. 9: 35 to col. 10: 23; col. 12: 3-55; col. 13: 35 to col. 15: 12; fig. 2).

In addition, the stored rebate (stored on the memory of the chip card), in the form of electronic money, may be spent (redeemed) or transferred by the user during a communication or

synchronization with a **cash register or other point-of-sale device (during a transaction at a POS), a personal computer, a portable chip card reader, a handheld device (wireless means or wireless network), a home or business telephone, a pay telephone, a vending machine, a cellular phone, a pager, a mass transportation or toll payment station or toll booth (wireless transaction with a toll booth), a television, television set top box and an automatic teller machine (ATM).** See col. 10: 24-32.

In summary, the user receives a targeted advertisement, based on profile information stored on the chip card, wherein the targeted advertisement is related to a product and the user is provided with a targeted rebate for downloading the targeted advertisement to his chip card and for buying the featured product.

See in general col.15: 41 to col. 16: 50; figs 4-8.

Finally, wirelessly transmitting an incentive or coupon to a user's mobile device or pager to encourage the user to read an advertisement or transferring a coupon to the user's mobile device based on the user's present geographical location (user's profile), and wherein the transmitted coupon or incentive is stored in the memory of the mobile device or pager and later retrieved and redeemed at a POS during a wireless communication or synchronization with the POS terminal, is well documented and well taught in the art (no further disclosure is necessary here. See the Bandera's and the Deluca's references for detailed information).

Therefore, an ordinary skilled artisan would have been motivated at the time of the invention to incorporate the teachings of Freeman into the system of Guthrie so as to store in the

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user's handheld device (coupon scanner) or PDA or cellular phone, adapted to wirelessly communicate with other similar devices and POSes over a wireless communication network and to record therein other relevant information such as phone numbers, calendars, etc., profile information (including demographic and psychographic data and transaction history) related to the user, wherein the profile information is used to provide targeted credits or coupons to the user and wherein the targeted credits are uploaded to the handheld device during a communication or synchronization process between the handheld device and a central computer or a POS or point of transaction over a network, such as the Internet or over a wireless or a paging network, thereby rendering the coupon or credit distribution system more personal and hence more appealing to the user and the user's handheld device more useful, while allowing the user to record personal data in the memory of the handheld device and to wirelessly receive targeted advertisements and targeted coupons or credits , such as time and location-sensitive coupons, while traveling on the road or passing through a toll booth and wherein the targeted coupons may be redeemable at a local POS located within the vicinity of the user's travel path.

As per claims 2-3, 9-10, 12-13, 18-19 and 29, Guthrie discloses a system for providing electronic coupons (new coupon data) or negotiable economic credits to a user over the Internet or any computer network having a server containing a central repository or database (coupon source) storing the electronic coupon data, wherein the electronic coupon data (broadly treated here as reward, credits or cash) are downloaded to the user's portable device or handheld device or coupon scanner connected to a cradle during an interaction or synchronization between the central repository and the coupon scanner. The stored coupon data are marked **with a unique**

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personal identifier that will electronically stamp the coupon data with the user's personal information. Once the user has uploaded the coupon scanner or handheld device with the desired coupon data, the user can take the coupon scanner to a retail store where he can redeem the electronic coupons at the retail store checkout through a POS cradle (docking station 22 of figs. 1, 6 and 7, infrared device interface or **wireless device** (interface or wireless network) located at the checkout used to upload or transfer the coupon data from the coupon scanner to the retail store system (synchronization of POS and handheld device) and wherein the cradle is an infrared transceiver device interface or wireless device interface. In other words, a wireless connection (wireless communication network) is used during the synchronization process between the coupon scanner or the handheld device and the retail store POS system to transfer coupon data related to at least one electronic coupon or negotiable economic credit from the coupon scanner to the retail store POS system (Col. 4: 64 to col. 5: 24; See claims 1, 8 and 22 of the current reference).

In short, Guthrie supports transferring a credit or coupon, stored in the memory of the customer's handheld device, from the handheld device to a store POS system to thereby perform a redemption and wherein the transferring or synchronization is conducted in a wireless mode.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

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(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9, 10, 11-15, 18, 19, 20 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by, US Patent 6, 450, 407B1.

1-7, 9-15, 18-20 and 29

As per claims 1-7, 9, 10, 11-15, 18, 19, 20 and 29, Freeman discloses a method and system for providing advertisement information and electronic rebate or credit to a consumer for reading the an advertisement and for buying a product featured in the advertisement, wherein the advertisement information and the electronic rebate information (cash or financial reward) are transferred to the consumer's handheld device or chip card memory over a plurality of communication channels or communication means (or networks) including the Internet and wireless means (wireless networks) (col. 6: 2 to col. 7: 59; fig. 3; col. 9: 11-18). In general, once a rebate is stored in the memory of the chip card, the consumer can then take the chip card to a participating POS, where it can be used (redeemed) during a synchronization process with the POS terminal. Indeed, rebates are conveyed or provided to the consumer by communication from the advertisement information provider to the customer's chip card memory via a multiplicity of possible channels or communication means including a personal computer, a portable chip card reader, **a point-of-sale (POS) terminal, a handheld device, a home or business telephone, a**

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vending machine, a cellular phone, a pager, a mass transportation payment station, a television and/or television set-top box or an automated teller machine (ATM).

In one instance, rather than giving a discount at the point of sale, instead a rebate in the form of electronic money is transferred therefrom and stored in the chip card memory for later retrieval and consumption. In fact, during a purchase transaction at a POS when the chip card is used to purchase a product, the system determines whether a rebate is associated with the product being purchased, and if a rebate is associated with the product, then the rebate in the form of electronic money is entered into the memory of the card during the purchase transaction (col. 6: 1 to col. 7: 21; col. 9: 11-18).

The system further includes the steps of tracking and storing integrated relational information regarding advertisement information, products and customer's buying habits with respect to those products for which rebates have been given and related advertisements have been viewed, the number of times an advertisement stored on the chip card has been retrieved and display on a screen coupled to the chip card (conducted in a wireless mode), wherein this tracking information (profile information) can be stored in the memory of the chip card or on a network database and used to provide targeted advertisement and hence, targeted rebate to the consumer. In other words, determination of which particular advertisement information and associated rebates to transfer and store onto the chip card may be based on customer information available to the providers of the advertisement information and collected directly or indirectly from the consumer (in a wireless or non-wireless environment). Additionally, electronic money may be put into electronic purse (chip card) without any purchase of the product associated with the advertisement and the system could be so configured such that the amount of electronic

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money loaded therein would be a function of how much information (profile data) the consumer was willing to share to provide better targeting of the advertisement and hence, the rebate distribution. The more user-characterizing information or profile allowed by the consumer for targeting, the more there would be rebated per advertisement downloaded (col. 9: 20-28; col. col. 11: 6-8; col. 13: 60-64). The system is further operable to vary the value of the rebate that may be associated with a product based on purchases made by the user or based on the number of purchases made by the user, increase the value of the rebate with increasing number of purchases of the product associated with the rebate and so on (varying the value of a rebate based on the user's transaction history or profile stored on the chip card), wherein the value of the rebate may be downloaded, from a web site over a network or the Internet, onto the chip card memory with the download of the advertisement information and the step of entering the rebate into the memory of the card as electronic money may comprise loading the amount of the rebate into the electronic purse of the chip card. Alternatively, the value of the rebate may be stored on a computer network or a point of sale terminal until the time of a purchase at which a rebate is made to the user.

In short, the rebate may be transferred or entered into the memory of the chip card by the user via a network or the Internet or a cash register or other point-of-sale device, a personal computer, a portable chip card reader, a handheld device (wireless means or wireless network), a home or business telephone, a pay telephone, a vending machine, a cellular phone, a pager, a mass transportation or toll payment station or toll booth (transferring the rebate or credit to the handheld device via a wireless network), a television, television set top box and an automatic teller machine (ATM). The advertisement

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related to the rebate is conveyed to the user and transferred to the user's chip card in a similar manner using similar communication means.

(Col. 9: 35 to col. 10: 23; col. 12: 3-55; col. 13: 35 to col. 15: 12; fig. 2).

In addition, the stored rebate (stored on the memory of the chip card), in the form of electronic money, may be spent (redeemed) or transferred by the user during a communication or synchronization with **a cash register or other point-of-sale device (during a transaction at a POS), a personal computer, a portable chip card reader, a handheld device (wireless means or wireless network), a home or business telephone, a pay telephone, a vending machine, a cellular phone, a pager, a mass transportation or toll payment station or toll booth (wireless transaction with a toll booth), a television, television set top box and an automatic teller machine (ATM). See col. 10: 24-32.**

In summary, the user receives a targeted advertisement, based on profile information stored on the chip card, wherein the targeted advertisement is related to a product and the user is provided with a targeted rebate for downloading the targeted advertisement to his chip card and for buying the featured product.

See in general col.15: 41 to col. 16: 50; figs 4-8.

Conclusion

The following references, although not officially used, are considered to be highly relevant.

US Patent 6,505,773B1 to Palmer discloses an online coupon issuing and redeeming system. The issuing system, including an issuing station or server located at the manufacturer's or clearinghouse site, generates customized advertisements and electronic coupons. The issuing system further comprises a consumer's computer, located at a consumer's site and coupled to a smart card reader/writer used to receive a smart card input from the consumer. Coupons are selected and downloaded from the issuing station or server over the Internet to the consumer's PC, which transfers the electronic coupons via the smart card reader/writer to the smart card inserted therein. In fact, when a consumer requests via his PC coupons from the issuing station or server over a communication network or the Internet, in response the issuing station transmits related targeted advertisements along with the coupons it generates to the consumer's PC. Furthermore, a program or management module provided by the issuing station runs on the consumer's PC to thereby making sure that the consumer absorbs or reads the entire advertisement before transferring the coupons to the smart card via the smart card reader/writer linked to the consumer's PC. The consumer can then take the smart card having the coupon data encoded thereon to a participating retailer's POS, which is equipped with the traditional software and hardware in addition to a smart card reader/writer interface capable of reading the consumer's smart card. At the retailer's POS, the customer or consumer or the clerk or cashier inserts the smart card into the smart card reader/writer, which reads the coupon data stored therein and if one or more matches are found between one or more product UPC codes in the smart card and one or more purchased items in the customer's order, then a price reduction is applied to the customer's order and the smart card (microchip-based device) memory is updated accordingly to reflect this redemption (or by deleting expired coupons maintained therein) (fig.

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6). The redemption process is secured because of tamper-protected access to the coupons stored in the smart card memory. Palmer also discloses receiving the user's profile data from the user's smart card and using the profile data to transmit a customized coupon to the user (See abstract; col. 1: 11-17; col. 1: 50 to col. 2: 57; figs. 1-9; col. 3: 31-40; col. 3: 53-67; col. 4: 9-13; col. 4: 14 to col. 5: 26; col. 6: 21-32; col. 6: 33-46; see claims 3-9 of the present reference).

US Patent 5, 192, 854 to Counts discloses a system wherein a customer using a coupon scanner or portable device scans coupon information from a paper coupon and stores the scanned coupon information into the memory of portable device and wherein the customer takes the portable loaded with the desired coupon data to a store POS where one or more coupons are redeemed during a synchronization process.

WO 98/19229 to Fajkowski discloses a system wherein a customer using a coupon scanner or portable device scans coupon information from a paper coupon and stores the scanned coupon information into the memory of portable device and wherein the customer takes the portable loaded with the desired coupon data to a store POS where one or more coupons are redeemed during a synchronization process.

US Patent 6, 332, 127 to Bandera discloses a system for providing a coupon to a customer wherein the coupon is downloaded from a web server and uploaded on the customer's PDA device for permanent storage and wherein the PDA device is wireless connected to a store POS during a redemption process (figs 9A-9B; col. 9: 49 to col. 10: 31).

US Patent 5, 870, 030 to Deluca discloses a system for providing a coupon to a customer for answering quizzes related to advertisements displayed on the customer's pager and wherein the coupon data are downloaded from a remote system and uploaded on the customer's pager memory for permanent storage and wherein the pager having a bar code related to the stored coupon is scanned during a redemption process at a POS terminal (fig. 8; col. 10: 29 to col. 11: 2; col. 12: 26-45).

US Patent 6, 332, 128 to Nicholson discloses a system for providing a multi-level discount coupons to a customer wherein the discount coupons are encoded on a RF device, such as a transponder.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (703) 308-6287). The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (703) 305- 8469.

For information on the status of your case, please call the help desk at (703) 3081113.

Further, the following fax numbers can be used, if need be, by the Applicant(s):

After Final-703-872-9327 Before Final -703-872-9326

Non-Official Draft- 703-746-7240

Customer Service- 703-872-9325

JDJ

04/28/05

JEAN D. JANVIER
PRIMARY EXAMINER
Janner Stamber